**THE HONOURABLE SRI JUSTICE V.ESWARAIAH**

**WRIT PETITION No :24448 of 2007**

**DATED:19-11-2007**

**BETWEEN:**

D.Satyanarayana Raju & another.

**..... PETITIONERS**

**AND**

The Commissioner,
Greater Visakhapatnam Municipal Corporation,
Thenneti Bhavan,
Visakhapatnam & 3 others.

**.....RESPONDENTS**

_
_
_
_
_
_

**ORDER:**

Heard learned counsel appearing for the petitioners as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioners seek a writ of mandamus declaring the action of the respondents in interfering with the land of the petitioners herein i.e., Ac.0.20 cents of land situated in Sy.Nos52/2, 53/3, 52/3A, Rushikonda village, Visakha Rural mandal, as illegal, and arbitrary.

3. It is the case of the petitioners that the 1st petitioner is the son of the 2nd petitioner and the 2nd petitioner is the owner of Ac.0.20 cents in Sy.Nos.52/2; 52/3; 52/3A of Rushikonda village, Visakha Rural mandal, and whileso, for the purpose of widening the existing road from 28 ft to 40 ft, without initiating any Land Acquisition proceedings and also with a view to favour the landlords of the opposite side of the road, the authorities have demolished a portion of the compound wall and a basement and forcefully taken away a portion of the land for the purpose of widening of the road.

4. Petitioners have not furnished any particulars on which date the said authorities have demolished the compound wall. If really there is any such action, I am of the opinion that before seeking a writ of mandamus there must be a

demand/representation/request but without making any such representation/demand/request, no writ of mandamus can be issued.

5. Accordingly, Writ Petition is dismissed with a liberty to make a representation before the authorities and if there is any such action it is open for the petitioners to approach this Court in accordance with law. There shall be no order as to costs.

_____

**V.ESWARAIAH,J**

19th November, 2007.

**Note:**

Furnish C.C. of the order
by 20-11-2007.

B/o
Tsy